

1 Patrick R. Leverty, Esq., Nevada Bar No. 8840
2 Vernon E. Leverty, Esq., Nevada Bar No. 1266
3 William R. Ginn, Esq., Nevada Bar No. 6989
4 LEVERTY & ASSOCIATES LAW CHTD.
5 832 Willow Street
6 Reno, NV 89502
7 Telephone: (775) 322-6636
8 Facsimile: (775) 322-3953

9 *Attorneys for Plaintiff Pacific Energy & Mining Company*

10 Samuel A. Schwartz, Esq., Nevada Bar No. 10985
11 Bryan A. Lindsey, Esq., Nevada Bar No. 10662
12 BROWNSTEIN HYATT FARBER SCHRECK, LLP
13 100 North City Parkway, Suite 1600
14 Las Vegas, NV 89106
15 Telephone: (702) 802-2206
16 Facsimile: (702) 385-2741

17 Adam Silverstein, Esq., Admitted Pro Hac Vice
18 Erik Weinick, Esq., Admitted Pro Hac Vice
19 OTTERBOURG, P.C.
20 230 Park Avenue
21 New York, New York 10169
22 Telephone: (212) 661-9100
23 Facsimile: (702) 682-6104

24 *Attorneys for Defendant Maximilian Resources LLC*

25 **UNITED STATES DISTRICT COURT**

26 **DISTRICT OF NEVADA**

27 PACIFIC ENERGY & MINING COMPANY,
28 a Nevada Corporation,

Case No.: 3:17-cv-00363-HDM-CBC

19 Plaintiff,

20 vs.

21 MAXIMILIAN RESOURCES LLC,
22 a Delaware Limited Liability Company,

23 Defendant.

**ORDER GRANTING AMENDED
STIPULATION FOR EXTENSION OF
TIME FOR DEFENDANT TO RESPOND
TO THE MOTION FOR SUMMARY
JUDGMENT [DOC. 61]
(THIRD REQUEST) AND MOTION TO
DISMISS COUNTERCLAIMS [DOC.69]
(SECOND REQUEST)**

27 **WHEREAS**, Plaintiff Pacific Energy and Mining Company (“**Pacific**”) commenced this
28

1 action against Defendant Maximilian Resources, LLC (“**Maximilian**” and together with Pacific,
2 the “**Parties**”) by filing a Complaint for Declaratory Judgment (“**Plaintiff’s Complaint**”) on
3 June 9, 2017;

4 **WHEREAS**, on June 6, 2018, Pacific filed a motion requesting that this Court issue
5 summary judgment in its favor (the “**Summary Judgment Motion**”);

6 **WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so
7 ordered by this Court, Maximilian’s current deadline to oppose the Summary Judgment Motion
8 is September 19, 2018 (the “**SJ Objection Deadline**”);

9 **WHEREAS**, on July 2, 2018, Maximilian filed an answer to Plaintiff’s Complaint and
10 asserted certain counter-claims against Pacific;

11 **WHEREAS**, on July 17, 2018, Pacific filed a motion to dismiss Maximilian counter-
12 complaint (the “**Motion to Dismiss**”);

13 **WHEREAS**, pursuant to a stipulation agreed to by Pacific and Maximilian and so
14 ordered by this Court, Maximilian’s current deadline to oppose the Motion to Dismiss
15 is September 19, 2018 (the “**Motion to Dismiss Objection Deadline**”);

16 **WHEREAS**, the Parties are engaged in settlement discussions regarding the issue raised
17 herein and numerous other issues involving multiple parties located in multiple locations;

18 **WHEREAS**, while the Parties continue to earnestly pursue settlement discussions, they
19 wish to (i) avoid the cost and expense of litigating the Summary Judgement Motion and the
20 Motion to Dismiss and (ii) preserve this Court’s resources given the recent progress in
21 negotiations;

22 **WHEREAS**, the Parties agree that adjourning the SJ Objection Deadline and the Motion
23 to Dismiss Objection Deadline is in their best interests and further the goal of judicial economy;

24 **NOW THEREFORE**, in consideration of the foregoing, of the mutual promises and
25 covenants herein, and other considerations, the reasonableness of which is hereby acknowledged,
26 the Parties hereto agree as follows:

1 1. The Parties hereby agree that the Objection Deadline to the Summary Judgement Motion
2 is extended through and including November 17, 2018.

3 2. The Parties hereby agree that the Objection Deadline to the Motion to Dismiss is
4 extended through and including November 17, 2018.

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7 DATED this 7th day of September, 2018.

8 LEVERTY & ASSOCIATES LAW CHTD.

9 /s/ Patrick Leverty
10 Vernon E. Leverty, Esq.
11 Patrick R. Leverty, Esq.
12 832 Willow Street
13 Reno, NV 89502
14 *Attorneys for Pacific Energy*
15 *& Mining Company*

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DATED this 7th day of September, 2018.

BROWNSTEIN HYATT FARBER
SCHRECK, LLP

/s/ Bryan Lindsey
Samuel A. Schwartz, Esq.
Bryan A. Lindsey, Esq.
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106

Adam Silverstein, Esq.
Erik Weinick, Esq.
OTTERBOURG, P.C.
230 Park Avenue
New York, New York 10169
Attorneys for Defendant
Maximilian Resources, LLC

IT IS SO ORDERED.



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22 SENIOR UNITED STATES DISTRICT JUDGE

23 DATED: September 12, 2018